

EXHIBIT A

UNITED STATES DISTRICT COURT

Southern

DISTRICT OF

New York

Triboro Quilt Manufacturing Corp.

EXHIBIT AND WITNESS LIST

V.

Luve LLC

Case Number: 10-cv-03604

PRESIDING JUDGE Vincent L. Briccetti					PLAINTIFF'S ATTORNEY Paul Fields; Cameron S. Reuber; Jonathan W. Thomas	DEFENDANT'S ATTORNEY David Schiller
TRIAL DATE (S) tbd					COURT REPORTER tbd	COURTROOM DEPUTY Ms. Donna Hilbert
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
1					11/6/12 Amy Seckinger Deposition Exhibit 1 - Green Frog Bath Luve	
2					11/6/12 Amy Seckinger Deposition Exhibit 1A - Photographs of Green Frog Bath Luve	
3					11/6/12 Amy Seckinger Deposition Exhibit 2 - U.S. Patent App. Publ. No. 2008/0005824 A1	
4					11/6/12 Amy Seckinger Deposition Exhibit 3 - Triboro/Luve Exclusive License Agreement	
5					11/6/12 Amy Seckinger Deposition Exhibit 4 - FRCP 30(b)(6) Deposition Notice	
6					11/6/12 Amy Seckinger Deposition Exhibit 5 - Proposal For Amendment to ELA	
7*					11/6/12 Amy Seckinger Deposition Exhibit 6 - Objections to Plaintiff's First Set of Interrogatories	
8					11/7/12 Amy Seckinger Deposition Exhibit 7A - Royalty Report by Style 1/1/06-11/4/12	
9					11/7/12 Amy Seckinger Deposition Exhibit 7B - Royalty Report by Customer 1/1/06-10/31/12	
10					4/26/13 Amy Seckinger Deposition Exhibit 9 - Amended FCRP 30 Deposition Notice	
11					4/26/13 Amy Seckinger Deposition Exhibit 10 - Amended FCRP30(b)(6) Deposition Notice	
12					4/26/13 Amy Seckinger Deposition Exhibit 11 - LUV000271-000273	
13					4/26/13 Amy Seckinger Deposition Exhibit 12 - 1/30/07 Email from AS to Daryl Farrell	
14					4/26/13 Amy Seckinger Deposition Exhibit 13 - Yellow Duck Bath Luve	
15					4/26/13 Amy Seckinger Deposition Exhibit 14 - Yellow Bath Luve Buddy	
16*					4/26/13 Amy Seckinger Deposition Exhibit 15 - 1/7/13 Letter from D. Schiller to P. Fields	
17					4/26/13 Amy Seckinger Deposition Exhibit 16 - Bath Luve Blue Fish	
18					4/26/13 Amy Seckinger Deposition Exhibit 17 - Bath Luve Green Frog	
19					4/26/13 Amy Seckinger Deposition Exhibit 18 - Bath Luve Pink Fish	
20					4/26/13 Amy Seckinger Deposition Exhibit 19 - 7/24/07 Email from AS to Richard White	
21					4/26/13 Amy Seckinger Deposition Exhibit 20 - Photos of Pico Products at Walmart	
22					4/26/13 Amy Seckinger Deposition Exhibit 21 - Bath Luve Yellow Robe	

* Include a notation as to the location of any exhibit not held with the case file or not available because of size.

EXHIBIT AND WITNESS LIST – CONTINUATION

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PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
23					4/26/13 Amy Seckinger Deposition Exhibit 22 - Bath Luve White Robe
24					4/26/13 Amy Seckinger Deposition Exhibit 23 - Bath Luve Blue Robe
25					4/26/13 Amy Seckinger Deposition Exhibit 24 - Child's Bath Robe
26					4/26/13 Amy Seckinger Deposition Exhibit 25 - LUV000467-000468
27					4/26/13 Amy Seckinger Deposition Exhibit 26 - Email Chain btwn AS and Richard White
28					4/26/13 Amy Seckinger Deposition Exhibit 27 - BATH LUVE Trademark Registration Certificate
29					4/26/13 Amy Seckinger Deposition Exhibit 28 - WHOIS Record for BATHLUVE.COM
30					4/26/13 Amy Seckinger Deposition Exhibit 29 - BATHLUVE.COM Screenshots
31					4/26/13 Amy Seckinger Deposition Exhibit 30 - WHOIS Record for LUVE.COM
32					4/26/13 Amy Seckinger Deposition Exhibit 31 - 2009 Email Chain btwn AS and Richard White
33					4/26/13 Amy Seckinger Deposition Exhibit 32 - Green Frog Bath Luve
34					4/26/13 Amy Seckinger Deposition Exhibit 33 - Triboro Sales #s for Amy Seckinger/Luve LLC
35					4/26/13 Amy Seckinger Deposition Ex. 34 - Supp. Answers to Plaintiff's 1st Set of Interrogatories
36					4/26/13 Amy Seckinger Deposition Ex. 35 - Luve's Answer and Counterclaim (Dkt. 9)
37					4/26/13 Amy Seckinger Deposition Exhibit 36 - Pink Hippo Garanimal
38					4/26/13 Amy Seckinger Deposition Exhibit 37 - Pink Hippo Luve Bath Buddy
39*					11/6/12 Amy Seckinger Deposition Transcript
40*					11/7/12 Amy Seckinger Deposition Transcript*
41*					4/26/13 Amy Seckinger Deposition Transcript
42*					11/28/12 Richard White Deposition Transcript
43					11/28/12 Richard White Deposition Exhibit 1 - Triboro Quilt Manufacturing Corp. MCA
44					11/28/12 Richard White Deposition Exhibit 2 - Triboro/Luve Exclusive License Agreement
45					11/28/12 Richard White Deposition Exhibit 3 - Frog Bath Luve Buddy
46					11/28/12 Richard White Deposition Exhibit 4 - Duck Just Born Tub Pal
47					11/28/12 Richard White Deposition Exhibit 5 - Chick Bath Luve
48					11/28/12 Richard White Deposition Exhibit 6 - Royalty Report
49					11/28/12 Richard White Deposition Exhibit 7 - SoothTime Splash Soother Calming Bath Pacifier

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PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
50					11/28/12 Richard White Deposition Exhibit 8 - SoothTime Splash Soother Calming Bath Pacifier
51					11/28/12 Richard White Deposition Exhibit 9 - Triboro Catalog Page
52					11/28/12 Richard White Deposition Exhibit 10 - Letter from A. Seckinger re: "New Product Ideas"
53					11/28/12 Richard White Deposition Exhibit 11 - Email chain re: Bath Luve
54					11/28/12 Richard White Deposition Exhibit 12 - Email chain re: Luve Puffs and Puppet Towels
55					11/28/12 Richard White Deposition Exhibit 13 - Email chain btwn A. Seckinger & M. Gemma
56					11/28/12 Richard White Deposition Exhibit 14 - Duck Tubby Towel
57					11/28/12 Richard White Deposition Exhibit 15 - Turtle Tubby Towel
58					11/28/12 Richard White Deposition Exhibit 16 - 1/8/10 Letter to Triboro re: notice of breach
59					11/28/12 Richard White Deposition Exhibit 17 - 2/5/10 Letter to Luve re: 1/8/10 notice of breach
60					11/28/12 Richard White Deposition Exhibit 18 - Email chain re: royalty report
61					11/28/12 Richard White Deposition Exhibit 19 - Email chain re: royalty report
62					11/28/12 Richard White Deposition Exhibit 20 - 8/26/09 letter re: LUVE trademark application
63					11/28/12 Richard White Deposition Exhibit 21 - Bath Luve Product Sample
64					11/28/12 Richard White Deposition Exhibit 22 -3/17/09 Email from D. Slabbekorn
65					11/28/12 Richard White Deposition Exhibit 23 - Email chain re: Babies R Us
66					11/28/12 Richard White Deposition Exhibit 24 - Email chain re: Contract
67					11/28/12 Richard White Deposition Exhibit 25 - Email chain re: Just Born; Better Bath Line
68					11/28/12 Richard White Deposition Exhibit 26 - Duck Hooded Towel
69					11/28/12 Richard White Deposition Exhibit 27 - Design drawing for Duck Hooded Towel
70					11/28/12 Richard White Deposition Exhibit 28 - Duck Hooded Towel
71					11/28/12 Richard White Deposition Exhibit 29 - Design drawing for Duck Bath Luve
72					11/28/12 Richard White Deposition Exhibit 30 - Design drawing for Fish Bath Luve
73					11/28/12 Richard White Deposition Exhibit 31 - Design drawing for Dragonfly Bath Luve
74					11/28/12 Richard White Deposition Exhibit 32 - design drawing for Butterfly Luve Puff
75					11/28/12 Richard White Deposition Exhibit 33 - Just Born Hooded Towel on BBB Website
76					11/28/12 Richard White Deposition Exhibit 34 - Photo of Bath Luve & Circo Products

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PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
77					11/28/12 Richard White Deposition Exhibit 35 - Photo of Bath Luve & Circo Products
78					11/28/12 Richard White Deposition Exhibit 36 - Photo of Bath Luve and Just Born products
79					11/28/12 Richard White Deposition Exhibit 37 - Photo of Bath Luve and Just Born products
80					11/28/12 Richard White Deposition Exhibit 38 - Just Born Duck on Kohls Website
81					11/28/12 Richard White Deposition Exhibit 39 - 2010 Triboro Product Catalog
82*					3/28/13 Richard White Deposition Transcript
83					4/24/13 Richard White Deposition Transcript (continued from 3/28/13)
84					3/28/13 Richard White Deposition Exhibit 1 - FRCP 30(b)(6) Deposition Notice to Triboro
85					4/24/13 Richard White Deposition Exhibit 2 - 1/8/10 Letter from L. Seese to L. DelJuidice
86					4/24/13 Richard White Deposition Exhibit 3 - 2/5/10 Letter from L. DelJuidice to L. Seese
87*					1/17/13 Daryl Farrell Deposition Transcript (Vol. I)
88*					1/18/13 Daryl Farrell Deposition Transcript (Vol. II)*
89					1/18/13 Daryl Farrell Deposition Exhibit 1 - Triboro/Luve Exclusive License Agreement
90					1/18/13 Daryl Farrell Deposition Exhibit 2 - Complaint (Dkt. 1)
91					1/18/13 Daryl Farrell Deposition Exhibit 3 - Bath Luve Chick
92					1/18/13 Daryl Farrell Deposition Exhibit 4 - Bath Luve Duck
93					1/18/13 Daryl Farrell Deposition Exhibit 5 - Mutual Confidentiality Agreement
94					1/18/13 Daryl Farrell Deposition Exhibit 6 - Email chain re: Bath Luve
95					1/18/13 Daryl Farrell Deposition Exhibit 7 - Babies R Us Duck Bath Cozy
96					1/18/13 Daryl Farrell Deposition Exhibit 8 - Babies R Us Butterfly Bath Cozy
97					1/18/13 Daryl Farrell Deposition Exhibit 9 - Babies R Us Fish Bath Cozy
98					1/18/13 Daryl Farrell Deposition Exhibit 10 - Babies R Us matching fish puff
99					1/18/13 Daryl Farrell Deposition Exhibit 11 - Hooded towel manufactured for Kohl's
100					1/18/13 Daryl Farrell Deposition Exhibit 12 - Just Born Bath Cozy
101					1/18/13 Daryl Farrell Deposition Exhibit 13 - Just Born Bath Cozy
102					1/18/13 Daryl Farrell Deposition Exhibit 14 - 12/3/10 Letter from T. Otterlee to A. Seckinger
103					1/18/13 Daryl Farrell Deposition Exhibit 15 - Soothe Time Splasher

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PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
104					1/18/13 Daryl Farrell Deposition Exhibit 16 - Photo of Bath Luve trade show display
105					1/18/13 Daryl Farrell Deposition Exhibit 17 - One-page document showing Soothe Time items
106					1/18/13 Daryl Farrell Deposition Exhibit 18 - A. Seckinger designs and drawings (39 pages)
107					1/18/13 Daryl Farrell Deposition Exhibit 19 - Photo of Carter Duck Hooded Towel
108					1/18/13 Daryl Farrell Deposition Exhibit 20 - Photo of Carter Frog Hooded Towel
109					1/18/13 Daryl Farrell Deposition Exhibit 21 - Tubby Pal
110					1/18/13 Daryl Farrell Deposition Exhibit 22 - Duck Tubby Pal
111					1/18/13 Daryl Farrell Deposition Exhibit 23 - Email Chain re: Bath Luve update
112					1/18/13 Daryl Farrell Deposition Exhibit 24 - 4/19/10 Letter from M. Best to L. DeJuidice
113 *					3/6/13 Dennis Amendola Deposition Transcript
114 *					3/8/13 Donna Slabbekorn Deposition Transcript
115					3/8/13 Donna Slabberkorn Deposition Exhibit 1 - Pink Bath Luve turtle
116					3/8/13 Donna Slabberkorn Deposition Exhibit 2 - Email chain btwn DS and A. Seckinger
117					3/8/13 Donna Slabberkorn Deposition Exhibit 3 - Email chain btwn DS and A. Seckinger
118					3/8/13 Donna Slabberkorn Deposition Exhibit 4 - Document re: 7/7/09 Buy Buy Baby Appointment
119					3/8/13 Donna Slabberkorn Deposition Exhibit 5 - Email chain btwn DS and J. Balliet
120					3/8/13 Donna Slabberkorn Deposition Exhibit 6 - Duck Bath Buddy
121 *					3/14/13 Cathy Sun Deposition Transcript
122 *					3/14/13 Richard Williams Deposition Transcript
123					3/14/13 Richard Williams Deposition Exhibit - Tubby Pal
124 *					3/28/13 Joel Kaplan Deposition Transcript
125 *					4/24/13 Joel Kaplan Deposition Transcript (continued from 3/28/13)
126 *					3/28/13 Joel Kaplan Deposition Exhibit 1 - Complaint (Dkt. 1)
127					3/28/13 Joel Kaplan Deposition Exhibit 2 - Triboro/Luve Exclusive License Agreement
128					3/28/13 Joel Kaplan Deposition Exhibit 3 - 1/8/10 Letter from L. Seese to L. DeJuidice
129					3/28/13 Joel Kaplan Deposition Exhibit 4 - 2/5/10 Letter from L. DeJuidice to L. Seese
130					3/28/13 Joel Kaplan Deposition Exhibit 5 - 7/17/09 Letter from T. Otterlee to JK

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Triboro Quilt Manufacturing Corp. vs. Luve LLC					CASE NO. 10-cv-03604
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
131					3/28/13 Joel Kaplan Deposition Exhibit 6 - 8/10/09 Letter from L. DeJuidice to T. Otterlee
132					3/28/13 Joel Kaplan Deposition Exhibit 7 - 4/19/10 Notice of Termination
133					3/28/13 Joel Kaplan Deposition Exhibit 8 - Triboro020415-020436
134					3/28/13 Joel Kaplan Deposition Exhibit 9 - US Copyright Registration VA 1-743-833
135					4/24/13 Joel Kaplan Deposition Exhibit 10 - Triboro019310 (Email Chain)
136					4/24/13 Joel Kaplan Deposition Exhibit 11 - Triboro019442 (Email Chain)
137					4/24/13 Joel Kaplan Deposition Exhibit 12 - Triboro016116 (Email)
138					4/24/13 Joel Kaplan Deposition Exhibit 13 - Triboro014693 (Email Chain)
139					4/24/13 Joel Kaplan Deposition Exhibit 14 - Triboro015334 (Email Chain)
140					4/24/13 Joel Kaplan Deposition Exhibit 15 - Luve Royalties 2011
141					4/24/13 Joel Kaplan Deposition Exhibit 16 - Luve Royalties 2012
142*					4/1/13 Marilyn Gemma Deposition Transcript
143					4/1/13 Marilyn Gemma Deposition Exhibit 1 - 1/09 Email chain btwn MG and A. Seckinger
144					4/1/13 Marilyn Gemma Deposition Exhibit 2 - 1/29/08 Email from MG to A. Seckinger
145					4/1/13 Marilyn Gemma Deposition Exhibit 3 - 5/16/08 Email from MG to A. Seckinger
146					4/1/13 Marilyn Gemma Deposition Exhibit 4 - Triboro020130-020142
147					4/1/13 Marilyn Gemma Deposition Exhibit 5 - Triboro020130-020142
148					4/1/13 Marilyn Gemma Deposition Exhibit 6 - Triboro020215-020237
149					4/1/13 Marilyn Gemma Deposition Exhibit 7 - Triboro020238-020255
150					4/1/13 Marilyn Gemma Deposition Exhibit 8 - Triboro020256-020266
151					4/1/13 Marilyn Gemma Deposition Exhibit 9 - 4/18/08 Email from MG to A. Seckinger
152 *					5/29/13 Gabrielle Goldaper Deposition Transcript
153					5/29/13 Gabriele Goldaper Deposition Exhibit 1 - Deposition Notice to G. Goldaper
154 *					5/29/13 Gabriele Goldaper Deposition Exhibit 2 - Expert Report of Ms. Goldaper
155					5/29/13 Gabriele Goldaper Deposition Exhibit 3 - Expert Report of Mr. Don Smith
156					5/29/13 Gabriele Goldaper Deposition Exhibit 4 - Triboro/Luve Exclusive License Agreement
157 *					5/30/13 Don Smith Deposition Transcript

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Triboro Quilt Manufacturing Corp. vs. Luve LLC					CASE NO. 10-cv-03604
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
158					5/30/13 Don Smith Deposition Exhibit 1 - D. Smith's Supplemental Expert Report
159					5/30/13 Don Smith Deposition Exhibit 2 - D. Smith's Expert Report
160					5/30/13 Don Smith Deposition Exhibit 3 - Triboro/Luve Exclusive License Agreement
161					5/30/13 Don Smith Deposition Exhibit 4 - Triboro004643-004565 (Sales report)
162					5/30/13 Don Smith Deposition Exhibit 5 - Triboro004542 (BRU Misc Bath Report 2010)
163					6/10/13 David Schiller Deposition Transcript*
164					6/10/13 David Schiller Deposition Exhibit 1 - Amended Deposition Notice to D. Schiller
165					6/10/13 David Schiller Deposition Exhibit 2 - Retainer Agreement btwn Luve and Schiller Exline
166					6/10/13 David Schiller Deposition Exhibit 3 - Schiller Exline Billing Invoice to Luve through 6/5/13
167*					6/10/13 David Schiller Deposition Exhibit 4 - Plaintiff's 4th Set of Requests for Production
168					6/10/13 David Schiller Deposition Exhibit 5 - D. Schiller's Expert Report
169*					6/10/13 David Schiller Deposition Exhibit 6 - Fed. R. Civ. P. 26
170*					6/10/13 David Schiller Deposition Ex. 7 - S. Jones Expert Report in Rebuttal to D. Schiller Report
171*					6/10/13 David Schiller Deposition Exhibit 8 - Findings of Facts in In Re: Allied Physicians Group
172					U.S. Trademark Application Serial No. 77/820,650 for BATH LUVE and File History
173					U.S. Copyright Registration VA 529-473 and Deposit
174*					USPTO General Information Guide re Patent Pending (USPTO Website)*
175*					Decision in R.F.M.A.S., Inc. v. Mimi So, et al., 06-cv-13114-VM (SDNY)
176*					Triboro's First Set of Interrogatories
177*					Triboro's Second Set of Interrogatories
178*					Triboro's First Set of Document Requests
179*					Triboro's Third Set of Document Requests
180*					Triboro's Fourth Set of Document Requests
181*					Triboro's First Set of Requests for Admission
182					Triboro's Initial Disclosures
183*					Triboro's Responses and Objections to Luve's 1st Set of Document Requests
184					Triboro's Responses and Objections to Luve's 1st Set of Interrogatories (Nos. 1-25)

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PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
185					Triboro's Responses and Objections to Luve's 1st Set of Requests for Admission (Nos. 1-12)
186*					Expert Report of Gabriele Goldaper
187*					Expert Report of Stephen Jones*
188*					Luve's First Set of Interrogatories
189*					Luve's First of Requests for Admission
190*					Luve's First Set of Requests for Production of Documents
191*					Luve's Responses to Triboro's 1st Set of Document Requests
192*					Luve's Responses to Triboro's 3rd Set of Document Requests
193*					Luve's Supplemental Responses to Triboro's 1st Set of Document Requests
194					Luve's Responses to Triboro's 1st Set of Interrogatories (Nos. 1-5)
195					Luve's Supplemental Responses to Triboro's 1st Set of Interrogatories (Nos. 1-5)
196					Luve's Responses to Triboro's 1st Set of Requests for Admission
197					Luve's Expert Disclosures
198					Luve's Supplement Expert Disclosures
199					Expert Report of Don Smith
200					Supplemental Expert Report of Don Smith
201					LUV 000217-000243 (2009 Triboro Catalog)
202					LUV 000467-000468 (Letter)
203					LUV 000480 (Email Chain)
204					LUV 000504-000505 (Email Chain)
205					LUV 000616-000617 (Email Chain)
206					LUV 000681-000682 (Email Chain)
207					LUV 000752 (Letter)
208					LUV 000992 (Email Chain)
209					LUV 001773-001774 (Email Chain)
210					LUV 001887-001888 (Email Chain)
211					LUV 001913-001915 (Email Chain)

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PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
212					LUV 001921-001922 (Email Chain)
213					Triboro000162-000198 (2012 Triboro Catalog)
214					Triboro002466-002504 (2010 Triboro Catalog)
215					Triboro002505-002560 (2011 Triboro Catalog)
216					Triboro005830-005833 (Email and Attachment)
217					Triboro006291 (Email)
218					Triboro009540-009541 (Email Chain)
219					Triboro010796 (Email)
220					Triboro012232 (Email)
221					Triboro012233-012234 (Email Chain)
222					Triboro013865-013867 (Email Chain)
223					Triboro014218 (Email)
224					Triboro014293-014298 (Email Chain)
225					Triboro018956 (Email Chain)
226					Triboro019194-019195 (Email and Attachment)
227					Triboro019249-019250
228					Triboro019279-019282 (Email and Attachments)
229					Triboro019285 (Email Chain)
230					Triboro019303 (Email)
231					Triboro019322 (Email Chain)
232					Triboro019340-019341 (Email Chain)
233					Triboro019342-019347 (Email Chain and Attachments)
234					Triboro019370-019371 (Email Chain)
235					Triboro019374-019376 (Email Chain)
236*					01/30/12 Letter from McDermott Will & Emery to David Schiller
237					2006 Trade Show Triboro Display